IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

Con.Case(C).No. 1365 of 2007(S)

AGAINST THE JUDGEMENT IN WPC.20727/2006 Dated 04/08/2006

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PETITIONER:

THEENDAKKARA BALAKRISHNAN,
S/O KRISHNAN NAMBIAR, AGED 51 YEARS,
'PRASADAM', NEAR SHIVA TEMPLE,
TALIPARAMBA POST, KANNUR DIST., REPRESENTED BY
HIS BROTHER AND POWER OF ATTORNEY HOLDER,
THEENDAKKARA JANARDHANAN NAMBIAR, -DO-.

BY ADV. SRI.B.PREMNATH (E)

RESPONDENTS:

V.V.SAROJINI, W/O VENUGOPALAN,
(AGED NOT KNOWN TO THE PETITIONER,)
SPECIAL TAHSILDAR(LAND ACQUISITION),
THALASSERY.

ADDL. 2. THE EXECUTIVE ENGINEER,
TRANSMISSION DIVISION,
K.S.E.B., KANNUR.

(ADDL. R2 IMPLEADED AS PER THE ORDER DT. 15.10.2007 IN COC NO.1365/2007)

BY SRI.P.P.THAJUDEEN, SC, K.S.E.B

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 07/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

Cont. Case (C).No.1365 OF 2007

Dated this the 15th day of October, 2007

O R D E R

In the affidavit of the respondent, it is stated that the District Collector approved the award of Rs.1,49,543/- dated 20.12.2006 and that the Executive Engineer, Transmission Division, KSEB, Kannur was addressed even before that, on 21.11.2006, to make available the funds. It is stated further that the request has not been responded in spite of different remainders as enumerated in paragraphs 3 and 4 of the affidavit of the respondent. The delay in disbursing amounts due under a land acquisition award, even if it is an award under Section 28 A, would only invite further financial liability for the requisitioning authority. The Executive Engineer, Transmission Division, KSEB, Kannur is, therefore, impleaded as additional respondent in this contempt of court case and is directed to show cause why action was not promptly taken on the request of the land acquisition authorities to make available the amounts. Such affidavit shall be on record within a period of two weeks from now.

2. Hand over copy to standing counsel for KSEB for appropriate communication.

Show the name of the standing counsel for KSEB in the cause list. Post after two weeks.

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.